

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Atsushi Miyawaki et al.

Group Art Unit : 1656

Appl. No. : 10/561,040

Examiner : Chih-Min KAM

I. A. Filed : June 16, 2004

Confirmation No. : 3808

For : FLUORESCENT PROTEIN

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir :

This paper responds to the Requirement for Restriction under 35 U.S.C. §§ 121 and 372 mailed from the U.S. Patent and Trademark Office on December 1, 2008. Applicants note that this response is being filed prior to expiration of the one-month shortened statutory period, whereby an extension of time and the government fee associated therewith should not be necessary for maintaining the pendency of the application. However, if any extension of time and/or fee is necessary for maintaining the pendency of the application, Applicants expressly request any necessary extension of time and authorize the charging of any required fee to Deposit Account No. 19-0089.

**Remarks**, beginning on page 2, include Applicants' election with traverse.